

Atty. Docket No. P4455.01 DIV
Client Matter No. 46234.0063.001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DO NOT ENTER
OK TO ENTER Applicants: Baugh, et al.

OK AS ENTERED Serial No.: 09/330,544

Filing Date: June 11, 1999

Title: TEST CARTRIDGE FOR
EVALUATING BLOOD
PLATELET FUNCTIONALITY

Art Unit: 1743

Examiner: Alexander, L.

To: Box AF
Commissioner for Patents
Washington, DC 20231

AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.116

Sir:

A final Office Action, Paper No. 14, was issued in the above-captioned application on December 6, 2002. In response thereto, please enter the following amendments.

In the Claims:

Please amend claims 4, 8, 17-20, and 24-28 according to the attached sheets.

REMARKS

A final Office Action, Paper No. 14, was issued in this application on December 6, 2002. All pending 4-6, 8, 10-12, 14, 16, 18-22, 24 and 26-28 were rejected. In response thereto, independent claims 4, 8 and 25 have been amended to more clearly distinguish the invention over the cited art. The amendments presented herein were not made earlier since it was believed that the claims as pending were novel and nonobvious over the cited art. Any amendments which are made that limit the scope of claims in any way are done so without prejudice.

Briefly, the claims were amended to clarify the rate of reciprocation of the plungers used in the method of this invention. Support for such amendments can be found in U.S. Patent No. 4,599,219, which is incorporated by reference in the present application. That is, as stated on page 3, line 29-33 of the instant application, "[t]he cartridge is adapted to be